

Child Support

What the paying parent needs to know



Department of Workforce Development
Division of Workforce Solutions
Bureau of Child Support

Keep up-to-date on child support by visiting

childsupport.wisconsin.gov *

The child support program undergoes frequent change. Recent changes in federal law will change rules for fees, tax intercept and W-2 families. These changes will go into effect over the next several years (2007 – 2009).

* Most public libraries offer free Internet access.

To help you understand this booklet, it is important that you know these terms:

Custody: The authority given to one or both parents by the court to make major decisions regarding the child. One parent (sole custody) or both parents (joint custody) may have custody.

Physical Placement (also called visitation): Periods of time a child spends with a parent.

Primary Physical Placement: Where the child lives most of the time.

Shared-Placement: The child lives with each parent at least 25% of the time.

These and other **child support terms** are on pages 25 - 26.

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Child Support –

What the paying parent needs to know

This booklet addresses questions and concerns paying parents have about Wisconsin's Child Support Program.

Child Support Program and Services

What is the child support program?

The child support program was created by Title IV-D of the federal Social Security Act and operates in all states and US territories. Wisconsin's program is administered by the state, but operated locally by 71 county child support agencies. The program is funded by fees and by the local, state and federal governments. Several tribes in Wisconsin also have child support programs and offer services through their tribal child support agencies.

The purpose of the program is to ensure children are supported by both of their parents. Child support agencies represent the interests of the state in the establishment and enforcement of court orders. **Neither parent has an attorney-client relationship with the child support agency's attorney.**

What services can the child support program provide to me?

The child support program can:

- help establish legal fatherhood (paternity)
- answer your questions and provide general and technical information
- review a support order for possible increase or decrease
- help change a court order
- provide monthly statements of account and payment coupons
- provide recent detailed payment and balance information on your child support case online at **childsupport.wisconsin.gov** (information is updated every night except Sunday)
- provide amount of your last two payments at:
(414) 615-2400 Metro Milwaukee area
(800) 991-5530 outside the Metro Milwaukee area
(877) 209-5209 TDD
- provide account histories
- provide interpreters for and translations of child support information at no cost
- provide privacy protection if the release of your address, telephone number, employer or other personal contact information would put you at risk

The Wisconsin Bureau of Child Support has brochures that explain the child support program and services offered to both parents involved in a child support case. Most of the brochures are available in Spanish and Hmong. The brochures are also available at childsupport.wisconsin.gov. (Most public libraries have free Internet access.) See page 33 for our most popular brochures.

Besides paying the child support ordered by the court, what else am I supposed to do?

You need to call or write the court and your child support agency when you move and/or when you change jobs. Many official support notices are sent by mail. To ensure that you receive important notices, the child support agency needs your current mailing address.

Phone numbers and addresses for child support agencies are listed on pages 27 - 31. Phone numbers and addresses for circuit courts are listed in the phone book under “County Government.”

Wisconsin law requires you to notify the child support agency of any change of address or employment within 10 days.

What services are NOT provided by the Wisconsin Child Support Program?

Custody and placement are issues that must be decided, and these issues might be decided at the same time as child support. However, the child support program and its local agencies are not involved in deciding or enforcing custody and placement issues.

Parents are encouraged to come to an agreement (also called a stipulation) on issues of:

- custody (making major decisions for a child)
 - one parent (sole custody) or both parents (joint custody) may have custody
- placement (also referred to as visitation)
 - primary placement (where the child lives most of the time)
 - shared-placement (the child lives with each parent at least 25% of the time)

An agreement made by the parents must receive court approval to be valid. If parents are unable to agree, the court will decide these matters. Your local court may offer mediation services if you and the other parent cannot agree on placement and custody issues.

The Wisconsin Child Support Program provides financial management for all who pay or receive support - child support, family support, medical support and maintenance (alimony). Financial management services are limited to income withholding, processing support payments and providing account information.

Either parent may apply for case management services at their local child support agency. The application fee is \$20. Parents who receive benefits from the W-2, FoodShare (food stamps) and Medicaid programs are automatically enrolled in the Wisconsin Child Support Program and receive most services free of cost and fees.

Child Support Orders and Payment Amounts

Parents are encouraged to come to an agreement (stipulation) on issues of child support. An agreement made by the parents must also receive court approval to be valid. If parents are unable to agree, the court will decide these matters. Most courts have mediation services available if you and the other parent cannot agree on support.

How do the courts decide on the amount of child support?

Wisconsin courts use the guidelines in DWD 40 – Child Support Percentage of Income Standard for setting child support payment amounts. The standard assumes that both parents share part of their income with their children when they live together, and should do so when they live apart.

Child Support Orders and Payment Amounts

The basic guidelines require a paying parent to pay a dollar amount equal to:

- 17% of gross income for one child
- 25% for two children
- 29% for three children
- 31% for four children
- 34% for five or more children

The Child Support Percentage of Income Standard also has guidelines the court **may** use for setting support if:

- Both parents share placement of the child or children (the child lives with each parent at least 25% of the time)
- Your income is less than \$950/month (125% of the poverty level)
- Your income is more than \$7,000/month
- You are supporting another family

The court may set amounts that differ from the Child Support Percentage of Income Standard if the guidelines would be unfair to you, to your child or to the other parent.

Child support calculators for shared-placement cases and high income payers are online at childdsupport.wisconsin.gov.

How does shared-placement affect child support?

The court **may** use the shared-placement guidelines if you and the other parent care for the child at least 92 overnights each year (25% of the time). With the shared-placement guidelines, child support is based on several factors including your income, the income of the other parent and the amount of time your child spends with you and with the other parent. If the court uses the shared-placement guidelines, the court **must** assign responsibility for payment of the child's variable costs in proportion to each parent's share of placement. Variable costs are reasonable costs above basic support costs. These costs include child care, tuition and a child's special needs.

If the child spends the same amount of time with each parent, the court **may** order the parent with the higher income to pay child support based on the shared-placement guidelines.

What is considered gross income?

Gross income is defined as all income from any source. This income may or may not be taxable. Income can be in the form of money, property or services. Gross income includes:

- wages, salaries, earnings, tips, interest, capital gains, commissions and bonuses
- worker's compensation or other personal injury awards intended to replace income
- unemployment insurance
- income continuation (disability) benefits and Social Security Disability Income (SSDI) payments
- voluntary deferred compensation
- employee contributions to any employee benefit plan or profit-sharing, and voluntary employee contributions to any pension or retirement account
- undistributed income of a corporation
- military allowances and veterans benefits
- money received directly from an employer, such as the income from a W-2 Trial or Unsubsidized Employment Job

Gross income **does not** include:

- child support that you receive
- public assistance payments such as Supplemental Security Income (SSI), W-2 cash benefits and FoodShare (food stamps)

The court may also use the amount of income that a parent has the “ability to earn.” The court can consider a parent’s

- past earnings
- current physical and mental health
- history of child care responsibilities as the parent with primary placement
- education, training and current work experience
- local job openings

Why isn't the other parent's income considered in setting child support?

Actually, it is. The court assumes that both parents will spend part of their income to support their child at the levels established by the Child Support Percentage of Income Standard. This includes the parent who receives child support -- this parent provides support by sharing his or her income spent on such items as housing, utilities and food.

In shared-placement cases (each parent has the child at least 25% of the time), the court may use the shared-placement guidelines. The shared-placement guidelines use the gross incomes of both parents in calculating support.

I am self-employed. How will support be set in my situation?

In all cases, child support is based on gross income. The amount of gross income available for child support is the amount of gross income after adding wages paid to your dependent household members and subtracting your business expenses. (The court determines what business expenses are reasonably necessary for producing the income or operating the business.) The income can be in the form of money, property or services.

You will be required by the court to provide a financial disclosure form and past tax returns. Based on your disclosure and any other findings made by the court, the court will determine the support amount that is appropriate for your situation. You might be required to arrange for child support payments to be withheld from a bank account.

I am getting married next month. Will my new spouse's income be included when support is set?

No. Only parents are responsible for supporting their child. The support amount is based only on your income or your “ability to earn.” Your ability to earn means you are able to earn a certain amount of income even though you might not be employed. (See page 4 for more information on “ability to earn.”)

Medical Support Orders

Do I have to pay for my child's medical expenses?

As part of any child support order, the court must order you or the other parent to include the child on a health insurance policy if that policy is available at a reasonable cost. (Generally, “reasonable cost” means that the parent's share of the monthly family coverage premium does not exceed 5% of the parent's gross monthly income **or** another level set by the court.)

Changing Your Support Order

The court may order you to pay for part of the health insurance premiums if the other parent carries health insurance for your child. The court may also order you to pay a share of uninsured medical costs. If Medicaid paid the birth expenses, the father may be ordered to repay these costs to the state. Medicaid includes Healthy Start and BadgerCare. More birth cost information is on page 14 under “Medicaid.”

I have a court order to provide health insurance for my child. I get health insurance with my job, but I'm not sure if it will cover my child. The insurance policy has all sorts of rules like enrollment periods and having to go to certain doctors. What should I do?

If your court order requires you to provide health insurance for your child, state law requires self-insured employers and insurance companies to insure your child even if:

- You and the other parent were never married
- The child lives with someone else
- The child lives outside the medical service area (medical coverage may be limited to emergency or urgent care if the care is received outside the medical service area)
- You apply for the insurance outside of the plan's open-window period
- The application for insurance is submitted by the other parent or child support agency

If you have questions about your insurance, you may contact the Wisconsin Commissioner of Insurance Office at:

125 South Webster Street
Madison, Wisconsin 53702
(608) 266-3585 in Madison
(800) 236-8517 statewide
711 (TDD) (ask for 608-266-3586)
oci.wi.gov

Changing Your Support Order

I cannot afford to pay the amount of support that the court has ordered. What can I do?

The child support agency may do a review of your court order if you can show that there has been a **substantial** change in circumstances. (For example, if your place of employment closes, or if you now have equal placement of your child. Any change in placement has to be approved by the court in order to be a substantial change in circumstance.)

If it has been more than three years since your order was set by the court or last reviewed, you may ask your child support agency to review your court order. (Every three years, the Bureau of Child Support will send a notice to you and the other parent to remind you of your right to ask for a review of your child support order.)

If the child support agency finds that the order is too high or too low, the agency will ask the court to change the order. The agency may write up a stipulation (legal agreement) for an order change and ask both parents to sign it. An agreement made by the parents must also receive court approval to be valid.

It is important to tell your child support agency about substantial changes. Only a court can change the order, but your child support agency may be able to help you.

When reviewing a support order, the agency and court will take into account whether or not the change in your earnings is due to a change in your “ability to earn.” For instance, your ability to earn might change if you are

laid off from your job. However, if you decide to reduce your hours to part-time, your ability to earn has not changed. (See page 4 for more information about “ability to earn.”)

If you believe your order should be changed, but the child support agency does not agree, contact your family court for information about how to ask the court to review your child support order. Some courts have a "do it yourself" (*pro se*) package that you can use to ask for a court review. You and the other parent may reach an agreement on your own. The court or family court commissioner can provide the state court form for the agreed changes in family court cases. You may also hire a private attorney to help you.

The other parent’s new spouse makes a lot more money than I do. Can I get my child support order lowered or stopped?

No. The responsibility for supporting a child rests with the parents of the child. Under Wisconsin law, stepparents have no legal responsibility to support stepchildren. A court cannot make a stepparent responsible for the costs of raising your child.

Income Withholding

How does income withholding work?

Your employer receives a notice to withhold support. Your employer then deducts the support amount from your paycheck, bonus and commission payment, etc., and sends the withheld amount to the Wisconsin Support Collections Trust Fund for processing. Employers may charge up to (but not more than) \$3.00 for each incident of withholding to cover their processing costs for the deduction.

Child support can also be withheld from unemployment payments, workers’ compensation checks, pension payments and Social Security Disability Income (SSDI) benefits.

My employer is not happy about the income withholding because it creates more paperwork. I am worried about losing my job.

Under the law, your employer may not fire you because of the income withholding. You may ask the court not to implement income withholding if you can show that the income withholding causes you irreparable harm. “Irreparable harm” is harm or damage that cannot be undone or cannot be repaired.

What if I have two employers? Will they both withhold child support?

The total amount of support that is withheld during a month should equal the amount of the court-ordered support. Whether support is withheld from one employer or both, the total should not be more than the total amount due for that month.

Why can’t I just write the checks myself?

Income withholding is mandated by law in Wisconsin. Generally, only self-employed parents do not participate in income withholding. Those who are self-employed may be required to arrange for periodic payments of support from a bank account.

What happens if there is a mistake in income withholding? What if my employer withholds more than the court order states or doesn’t mail it to the Trust Fund?

Your employer receives an income withholding notice directly from the agency administering your child support order and is required by law to comply with its terms. If you find out that the withholding notice does not match your court order for support, contact the child support agency in the county where the notice was issued/entered. (Your employer should give you a copy of the income withholding notice.)

How Payments are Processed

If your employer withholds support payments and you find out that the Trust Fund has not been receiving the money, you should immediately contact your employer. (Employers are required to forward child support money withheld from income to the Trust Fund within five days of the withholding.) You are responsible for your court-ordered child support even if your employer fails to withhold any child support or withholds the wrong amount.

Three ways you can check your payments:

1. Child Support Online Services website (Information is updated each night except Sunday). Go to childsupport.wisconsin.gov
2. Your Monthly Statement of Account
3. KIDS Information Line (information about your last two payments)
(414) 615-2400 Metro Milwaukee area
(800) 991-5530 outside the Metro Milwaukee area
(877) 209-5209 TDD

An employer who withholds payments and does not send the money to the Trust Fund can be found in contempt of court. Contact the child support agency if money is taken from your paycheck but is not listed.

How much of my paycheck can be withheld for child support?

The federal Consumer Credit Protection Act (CCPA) limits how much money can be withheld from your paycheck. Withholding limits are stated on the withholding notices that your employer receives. Your employer should give you a copy of this withholding notice. **If your employer cannot withhold the total support amount due, you still owe the amount that is not withheld.** You may ask your employer to withhold all the support that is due, even if it is more than the Consumer Credit Protection Act limits.

The Consumer Credit Protection Act limits are:

- 50% of disposable income if you have a second family
- 55% of disposable income if you have a second family and have unpaid support that is 12 or more weeks overdue
- 60% of disposable income if you have no second family
- 65% of disposable income if you have no second family and have unpaid support that is 12 or more weeks overdue

“Disposable income” is that part of your earnings that remains after deduction of federal, state and local withholding taxes, and Social Security taxes. Deductions for Individual Retirement Accounts (IRAs), medical expense accounts, etc., do not reduce disposable income.

How Payments are Processed

I pay support to two different families. How is each payment divided up?

Each payment you make during a month is divided between your two families based on the type and amount of support due to each family.

Federal rules and state law dictate how child support collections are to be paid. All payments received during a month will be paid out in this order:

1. To pay all your court-ordered current support or alimony due in that month on your court orders
2. To pay any other court-ordered periodic payment(s) you have on past-due amounts (for example: a court order for \$50/month on past-due support)
3. To pay past-due support or alimony amounts (if any)
4. To pay interest and fees

The one exception is intercepted federal tax refunds. By law, federal tax intercept must first pay any assigned past-due support for families who had received cash benefits from the W-2 or SSI Caretaker Supplement Programs. (Please see the information under “Child Support and Aid/Benefit Programs” starting on page 12.)

For example: You pay current support to your two families. Your orders are to pay a total of \$500 each month - \$200 to Family A and \$300 to Family B. You pay \$125 each week. Each \$125 weekly payment is prorated. Family A is owed 40% of the \$500 due each month, so Family A will get 40% of your weekly \$125 payment (\$50). Family B is owed 60% of the \$500 due each month and will get 60% of your weekly payment (\$75).

My older children in Family A are now adults, but I still owe Family A \$2,000 in past-due support. I am supposed to pay \$50 each month until I am paid up. For Family B, I am also supposed to pay \$250 current support each month for my young children. Sometimes, I can't pay all of the \$300 a month that I am supposed to pay. What happens to the money I do pay?

Your payments each month will be sent first to Family B for your order to pay \$250 in **current support**. When the full \$250 is paid to Family B, money is then sent to Family A for your order to pay \$50/month for past-due support.

If you only pay \$200 in a month, the \$200 is sent to Family B as current support. If you pay \$400 (more than the \$300 amount due in a month), the current support owed that month will be paid first. Family B will receive the first \$250 paid. Family A will then receive the \$50 that is due for that month. The remaining \$100 goes to other support debts you might owe.

I am paying on past-due support I owe to two families. Things happen, and sometimes one of the families needs more money than the \$150 I pay each family every month. How do I make an extra payment for past-due support that will only go to the one family?

If you want to make an extra payment to help one family with a money problem, use your Payment Coupons to “designate” the payment to a specific court case. Write the court case number for that family on the “Designated Court Case?” line and check the box to the right of that line. (If you owe current support for the court case you selected, the payment will first pay the current support due for the selected court case.) You can use the Payment Coupons that come with your Monthly Statement of Account. You can also download your payment coupon from the Child Support Online Services website at childsupport.wisconsin.gov.

I am supposed to pay \$75 support every week when I get paid, and I do. Why does my monthly statement often show that I owe money?

When a parent is ordered by the court to make a support payment every week or every two weeks, a “charge day” for the payments is entered into the KIDS computer system. The KIDS charge day might be a different day than the day you make your payments. If you (or your employer) send in payments on Fridays (your payday) but the KIDS charge day is Monday, your account might seem to be out of balance for some months. This happens because some months have more Mondays (charge days) than Fridays (paydays). Your account

Monthly Statements and Coupons

will balance out over a 12-month period because some months have more Fridays (paydays) than Mondays (charge days).

In months that have more charge days than paydays, your statement might show a negative balance. The negative balances for these months are called “timing arrears.” Interest is not charged on timing arrears, and no action will be taken. This might also happen if your order is for payments due every two weeks.

Over a year, you will have 52 weekly paydays and 52 weekly charge days. The 52 weekly charges of \$75 will correctly total \$3,900, and the 52 weekly payments of \$75 will also correctly total \$3,900. See the table below.

Charging and payment patterns for support order of \$75/every week. Mondays are KIDS charging days. Fridays are the parent’s paydays.				
Month	Jan-06	Feb-06	Mar-06	Apr-06
KIDS weekly charge days in month (Mondays)	5	4	4	4
Total charges in month	\$375	\$300	\$300	\$300
Weekly paydays in month (Friday)	4	4	5	4
Total paid in month	\$300	\$300	\$375	\$300
Total charges year-to-date	\$375	\$675	\$975	\$1,275
Total paid year-to-date	\$300	\$600	\$975	\$1,275
Statement Balance (amount paid minus amount charged)	-\$75	-\$75	\$0	\$0
Month	May-06	Jun-06	Jul-06	Aug-06
KIDS weekly charge days in month (Mondays)	5	4	5	4
Total charges in month	\$375	\$300	\$375	\$300
Weekly paydays in month (Friday)	4	5	4	4
Total paid in month	\$300	\$375	\$300	\$300
Total charges year-to-date	\$1,650	\$1,950	\$2,325	\$2,625
Total paid year-to-date	\$1,575	\$1,950	\$2,250	\$2,550
Statement Balance (amount paid minus amount charged)	-\$75	\$0	-\$75	-\$75
Month	Sep-06	Oct-06	Nov-06	Dec-06
KIDS weekly charge days in month (Mondays)	4	5	4	4
Total charges in month	\$300	\$375	\$300	\$300
Weekly paydays in month (Friday)	5	4	4	5
Total paid in month	\$375	\$300	\$300	\$375
Total charges year-to-date	\$2,925	\$3,300	\$3,600	\$3,900
Total paid year-to-date	\$2,925	\$3,225	\$3,525	\$3,900
Statement Balance (amount paid minus amount charged)	\$0	-\$75	-\$75	\$0

The amount paid and the amount due for a year (52 weeks or 12 months) is \$3,900. **If** the first month of a cycle has more paydays than charging days, you will have a positive balance during some months. For the example above - if the KIDS charge days were on Fridays and the paydays were on Mondays, statement balances for January, February, May, July, August, October and November would be + \$75. A similar pattern may occur if your order is for payments every two weeks.

Monthly Statements and Coupons

You can view detailed payment and balance information for the past 60 days on the Child Support Online Services website at childsupport.wisconsin.gov. Information is updated each night except Sundays. You can also view and print your payment coupons.

Each month, a Monthly Statement of Account and payment coupons will be mailed to you. The Monthly Statement of Account and the payment coupons are for your support payments. It is important to read your statement. It is a record of your payments made during the past month, payments due for the current month and any amounts that you may still owe.

In January, a notice about your Receipt and Disbursement (R&D) fees and a special coupon to pay your R&D fees will be mailed to you. If R&D fees are still owed and your employer does not withhold support from your wages, we will also mail you R&D notices and coupons in April, July and October.

Who can I call if I have questions about how to use a coupon?

If you have a question about your coupons, please call the Wisconsin Support Collections Trust Fund, Monday through Friday, 8:00 AM - 5:00 PM (Central Time), at:

(414) 615-2400 Metro Milwaukee area
(800) 991-5530 outside the Metro Milwaukee area
(877) 209-5209 TDD

My employer withholds child support payments. Why do you send statements and coupons to me?

Your statement shows the payments you and your employer sent to the Trust Fund. You should review your statement each month to ensure all payments are applied to your support. If you owe past-due support, this statement will tell you how much you owe, what debts are still owed and how much interest you are being charged. You may use the payment coupons to pay past-due support. You can also see this information at Child Support Online Services childsupport.wisconsin.gov.

Which coupon do I use? Can my employer use my coupons?

- Use your **Payment Coupons** if your employer is not withholding support payments, if you are unemployed or if you change jobs (there might be a period before your new employer starts the withholding) and to pay past-due support.
- Use your **R&D Fee Coupon** to pay your yearly fee and any overdue fees from prior years. This fee is charged each January. R&D Coupons are mailed separately, in January, along with a notice of any R&D fees you may owe.
- **Use the correct coupon for your payment.** The different coupons instruct the Trust Fund to apply your payment to support or to R&D fees. If you use the incorrect coupon, your payment will be applied to the wrong balance. Use the Payment Coupon for paying current and past-due support and interest. Use the R&D Fee Coupon only to pay your R&D fee.
- **Do not give your employer these coupons to use.** Employers receive special forms for withholding support and R&D fees.
- **Do not use these coupons to pay off a child support lien.** If you need to pay off a child support lien, contact your local child support agency for a special form. Phone numbers and addresses for child support agencies are listed on page 27 - 31.
- **If you wish to make a payment on the debt that led to your lien,** but are not making the payment as part of an agreement with your child support agency, you may use your payment coupon. To apply the payment to the court case(s) with a lien, “designate” the payment to that specific court case. Write the court case number on the “Designated Court Case?” line and check the box to the right of that line. (If you owe current support for the court case you selected, the payment will first pay the current support due for the selected court case.)

When Does Child Support End?

What are R&D fees? Why do I have to pay them?

Receipt and Disbursement (R&D) fees are \$35 per year, per court case. The R&D fees help pay the costs of processing and mailing your support payments and maintaining your payment records.

I already paid my R&D fee for this year. Why are you having my employer withhold it again?

If you owe past-due R&D fees from prior years, the amount you owe will be withheld. R&D fees are charged every year and are due by March 1. State law requires employers to withhold R&D fees that are still owed after March 1. Employers are asked to withhold past-due R&D fees three times a year (spring, summer and fall). Each January, an R&D statement and coupon will be mailed to your last known address. The statement will have the amount of R&D fees due for the year and the amount of unpaid fees, if any, from past years.

If I still owe fees after this withholding, can I have more money withheld from my next paycheck?

No. Each January, a “R&D Fee Coupon” is mailed to your address on file with your local child support agency. You should try to pay off the entire fee as soon as possible. If you cannot pay the entire amount, make a copy of your R&D coupon to use when paying your remaining R&D fee balance. You can also download a copy of your R&D coupon from the Child Support Online Services website at childsupport.wisconsin.gov.

Can I appeal my R&D fee?

Yes, you may appeal your R&D fee. However, the only issue that can be raised at the hearing is mistake of fact (whether or not the amount of R&D fees owed is correct). As with other income withholding provisions, you may request a hearing within 10 days of the “Notice to Withhold” mailing by filing a motion with the court where your order is entered. The requested hearing must be held within 10 working days after your motion is filed. R&D fees are charged on all support cases as required by Wisconsin law.

If I have two employers, will each of them withhold R&D fees?

No. Only one of your employers will be sent a R&D withholding notice.

Will you withhold R&D fees every year?

Yes. We will ask your employer to withhold R&D fees that are past-due three times a year (spring, summer and fall).

When Does Child Support End?

When will my child support order end?

Under Wisconsin law, your duty to support your child continues until age 18, or until age 19 if the child is still enrolled in high school or pursuing a high school equivalency course (GED). “Emancipation notices” will be sent to you and the other parent 90 days before a given verified date of graduation or the 18th birthday of your youngest or only child.

Even if your order for current support ends, you will still need to pay all past-due support and past-due fees you owe (if any). Income withholding will stay in effect until your past-due support is paid.

My son dropped out of high school. He will turn 18 in a few months. He is not enrolled in high school or in a GED program, although he keeps promising he's going to do it "soon." When can I stop paying child support?

Your order for current support will end when your son turns 18 unless you or the other parent shows documentation to the child support agency that your son has returned to high school or is studying for his GED.

My child turned 18 in February, but doesn't graduate from high school until June. When will my child support order end?

Check your child support order to see if the end date is given. If not and you know your child's graduation date, contact your child support agency. Your obligation for current child support ends when your child graduates.

My children no longer live with the other parent. They now live with their grandparents. Do I still have to pay support?

Yes, you are still responsible for supporting your children and making payments as ordered. However, you might want to ask the court to name the grandparents as the payees of your support checks. If a child is placed with someone other than a parent or in a place like a group home or foster family, both parents are expected to pay child support.

Child Support and Aid/Benefit Programs

W-2 and SSI Caretaker Supplement Programs

New rules for child support and families who get or used to get W-2 cash benefits started January 1, 2006.

When the other parent signed up for cash benefits under the W-2 or SSI Caretaker Supplement, the parent signed over (assigned) the right to child support as a condition for receiving cash benefits.

“Assigned current support” is support that is owed while your family is receiving cash benefits. “Assigned past-due support” is support owed, but not paid before and during the period your family received cash benefits. Your family will get part of the assigned support.

- Families who now get W-2 cash benefits will get part of the assigned current child support paid.
- Families who used to get W-2 cash benefits will get all the current support paid and will get part of payments made on assigned past-due support.
- Families in W-2 who do not get cash benefits will still get all the child support paid.

The other parent is in W-2. Who gets the child support I pay?

If your family is in W-2 but **does not get cash benefits**, your family gets **all the child support** that you pay. Your family does not get cash benefits if the other parent:

- Works in a Trial Job
- Gets help with Child Care
- Gets Case Management Services
- Gets Emergency Cash Assistance
- Is in the W-2 Custodial Parent of an Infant program **but never received cash benefits** in the past

If your family now gets W-2 cash benefits, your family will get part of the assigned current child support that you pay. The rest of the payment is used to pay for the cash benefits your family gets. Your family gets cash benefits if the other parent is in:

- a W-2 Community Service Job
- a W-2 Transitional Placement
- the W-2 Custodial Parent of an Infant program **and had received cash benefits** in the past
- the SSI Caretaker Supplement program

Child Support and Aid/Benefit Programs

If your family gets cash benefits, the part of the child support they get will go down over the year 2006. See the table below.

If your family is NOW getting cash benefits			
Month	If You Pay Current Child Support	Your family's share of the payment will be about	
April 2006	\$100	\$71	71%
May 2006	\$100	\$71	71%
June 2006	\$100	\$71	71%
July 2006	\$100	\$56	56%
August 2006	\$100	\$56	56%
September 2006	\$100	\$56	56%
October 2006 and every month after	\$100	\$42	42%

The other parent was in W-2 a few years ago. Who gets the child support I pay?

If your family received W-2 cash benefits in the past, your family will get some of the "assigned past-due support" that you pay. The portion of the payment your family gets will go down over the year (2006). Please see the chart below. **Your family will still get all the current support you pay.**

The "assigned past-due support" is the amount of support you owed, but did not pay while your family received W-2 cash benefits. The assigned past-due support will not be more than the total W-2 cash benefits your family had ever received.

If your family USED to get cash benefits			
Month	You Pay Assigned Past-due Support	Your Family's Share of Your Payment on Assigned Past-due Support Will Be About	
April 2006	\$100	\$71	71%
May 2006	\$100	\$71	71%
June 2006	\$100	\$71	71%
July 2006	\$100	\$56	56%
August 2006	\$100	\$56	56%
September 2006	\$100	\$56	56%
October 2006 and every month after	\$100	\$42	42%

- **Past-due support owed to your family**
 - All the support owed, but not paid after your family stopped receiving W-2 cash benefits
 - Your family's share of the assigned past-due support
 - The amount of assigned past-due support that is greater than the amount of family's cash benefits
- **Past-due support that will be used to pay for the cash benefits your family received**
 - Part of the assigned past-due support
 - Past-due support owed for AFDC benefits your family received

- **Past-due support is paid out in this order (Except for federal tax intercepts, current support is always paid first.)**
 - Past-due support owed to your family after they stopped receiving W-2 cash benefits
 - Assigned past-due support. These payments are split – your family will receive some of these payments. The state will use part of the payment to pay back the federal government for the cash benefits your family received.

The one exception is intercepted federal tax refunds. By law, the federal tax intercept must first pay any assigned past-due support. Your family will get part of the federal tax intercept.

Although we were never married, I was giving money to the other parent to help support my child. Now that the other parent is in W-2, money is taken from my paycheck. Why can't I just pay the money as I did before?

Parents who are in W-2 must cooperate with their child support agency. In these cases, an order for child support is set, and the child support must be paid by income withholding through the Trust Fund. (See page 6 for more information about income withholding.)

I have an order to pay child support for my child who lives with the other parent. However, two other children from another partner live with me. I am now in the W-2 program. Will the child support be taken out of my check?

Child support may not be taken out of checks you receive from a W-2 agency, such as a check for taking care of a newborn, participating in W-2 Transition or a Community Service Job (CSJ) or for child care costs. These payments are not considered income for child support purposes.

Child support can be taken out of paychecks received directly from an employer such as a check for a W-2 Trial Job or a W-2 Unsubsidized Employment job. These payments are considered income for child support purposes.

Medicaid

Why do I have to repay Medicaid for the hospital bills when my child was born?

If you are the father of the child and you were not married to the mother when she applied for Medicaid, you may be required to repay Medicaid for the birth costs and the costs of pregnancy care. According to federal law, the mother cannot be required to repay Medicaid for the cost of pregnancy care and birth costs. (The mother's ability to pay for birth costs was determined when she applied for Medicaid. If the father was not married to the mother when she applied for Medicaid, his ability to pay was not considered.)

FoodShare (food stamps)

Although we were never married, I was giving money directly to the other parent to help support my child. Now that the other parent is in the FoodShare program, money is taken from my paycheck. Why can't I just pay the money as I did before?

Parents who receive food stamps must have their child support paid by income withholding through the Wisconsin Support Collections Trust Fund. (See page 6 for more information about income withholding.)

I cannot take part in the FoodShare program because I got behind in paying my child support. What can I do?

You should contact your child support agency and agree to a payment plan. To get help from the FoodShare program, you must follow the terms of your payment plan.

AFDC

The other parent was on AFDC years ago. My child support payments include paying on past-due support. Why is my family not getting all the support that I pay?

The amount of “assigned support” you owe is the total amount of child support due and not paid while your child was on an AFDC grant. If the other parent and children received AFDC in the past, support you still owe during that time will be used to repay part of the AFDC costs.

Payments on past-due support will first be used to pay past-due support owed to the family. When the entire debt to the family is paid, the remaining payments will be used to pay past-due support that was assigned. Under the Tax Intercept program, your federal tax refund is first used to pay assigned past-due support.

Unlike the W-2 program, all assigned past-due support owed for AFDC is used to repay the AFDC benefits your family received.

Kinship Care and Foster Care

If your child is now in or was in Kinship Care or is in foster care, payments on current and past-due support may be used to repay the program costs.

Job Programs and Job Services for Parents

I am looking for a job so I can pay my child support. Is there any help for parents trying to find a job?

Yes. The W-2 Noncustodial Parent Program and the Children First program provide case management and job search assistance to parents who pay child support. The Wisconsin Job Centers and local programs may also help you with finding a job.

W-2 Noncustodial Parent Program

Under W-2, parents may be eligible for case management services. These services help parents who are unemployed or underemployed and are unable to pay all their child support. Case management services may provide job search assistance and employment and training assistance. These services are voluntary. To participate, the other parent must be in the W-2 program. To find out more about this program, contact your county social/human services agency, W-2 agency or tribal TANF agency. These agencies are listed in the phone book under “County Government” or tribal name.

To participate in W-2, you should be up-to-date with your child support payments. If you owe past-due support, contact your child support agency and work out a payment plan with them. You must follow the terms of your payment plan in order to take part in the W-2 Noncustodial Parent Program.

Children First

When a parent is not able to make child support payments, the court may order the parent to participate in the Children First program. Under the Children First program, parents might receive job search assistance, job skills training, basic education and/or work experience opportunities. Through the Children First program, parents might also receive parenting support, counseling and other services. Parents successfully complete the Children First program when they pay their child support for three consecutive months or complete 16 weeks of employment and training activities. Not every county or tribe has a Children First program, so check with your child support agency.

If you have trouble paying your child support because you can’t find a job or earn low wages, you may stipulate (agree) to enter the Children First program.

Job Centers

The Department of Workforce Development has Job Centers around the state to help those looking for a job. To find the one closest to you:

- Phone (888) 258-9966 (toll free)
- Go to the website at dwd.wisconsin.gov/dws/directory/
- Search for job openings on the web at wisconsinjobcenter.org

Local programs

You can contact your child support agency and your social/human services agency. Your local agencies may know about other programs in your area to help you get employment assistance, training or financial support.

Other help with jobs

The Department of Workforce Development's website at dwd.wisconsin.gov offers many links for jobs in the state.

<h3>Other Issues</h3>

If I pay the child support, why don't I get a tax deduction?

The Internal Revenue Service regulates tax deductions for dependents. Call the IRS's toll-free number (800) 829-1040 or visit their website www.irs.gov for tax information. Your divorce or paternity order **might** include information about which parent can claim the deduction for dependents. Check your court order for this information. Please note: The federal Earned Income Tax Credit is different than the federal tax deduction for a child. For the Earned Income Tax Credit, the child must have lived with you for over six months of the year.

I believe the other parent is neglecting our children and may be abusing them. What should I do?

If you think your children are abused or neglected, you should contact the social/human services agency where the children live. Issues of protective services are separate from the issue of child support.

The other parent hired a private collection agency because I owe past-due support. What should I do?

You may agree to send your child support payment to a private collection agency. However, you should still make the check or money order payable to the "Wisconsin Support Collections Trust Fund" or "WI SCTF." Send in your Payment Coupon with your check or money order.

The person who hires the private collection agency is responsible for all fees that the private collection agency charges. Make sure you are getting full credit for your child support payments by making the check or money order payable to the "WI SCTF" and mail it to Wisconsin Support Collections Trust Fund, Box 74200, Milwaukee, WI 53274-0200.

Note: If you make your check payable to the private collection agency, the private agency might withhold its fee before sending your payment to the Trust Fund. If so, you will only receive credit for the amount sent to the Trust Fund by the private agency. For example - you have a child support order to pay \$500 per month and you send your payment to the private agency. The private agency has a monthly fee of \$100. If the agency subtracts the \$100 fee and forwards the balance of \$400 to the Trust Fund, you will only receive credit for \$400. This will create a past-due balance for you of \$100 for that month. Each month you continue to send your child support payment to the private agency, your past-due balance might grow by another \$100.

My court order set times that I can be with my kids. The other parent is not letting me see them. Can I stop paying support?

No. Wisconsin family law draws a very definite line between the issues of physical placement (visitation) and child support. No parent can stop paying court-ordered support because the other parent denies court-ordered periods of visitation. Likewise, no parent can deny court-ordered visitations because the other parent is not paying court-ordered support. If you are being denied your visitation rights, contact your family court commissioner.

Wisconsin's Child Support Program and its local agencies cannot create, change or enforce custody and placement provisions.

The other parent doesn't spend the support money on our kids. What can be done about this?

The money the other parent spends on housing, utilities and food is money that is shared with the children. If you believe your children are not being adequately fed, clothed or housed, you should contact the social/human services agency where the children live. Neither the state nor the federal government has jurisdiction over how a parent spends child support payments.

Where can I go to learn more about being a parent?

There are programs with services and resources to help parents, but programs vary from place to place. County health departments, the University of Wisconsin Extension and family resource centers might offer these programs. Their services might include parenting classes, workshops, family activities and support groups. They might also have books, videos or other resources that can help you. Some programs have a lending library including toys and equipment. Most of these services are free.

To call your county health department, look in the phone book under "County Government." For UW-Extension programs, look in your phone book in the "Business Section" under University of Wisconsin, Extension or visit their website www.uwex.edu/ces/flp.

The Wisconsin Children's Trust Fund has a free "Positive Parenting Kit." To order the free parenting kit or for information about family resource centers, contact the Wisconsin Children's Trust Fund at 1-866-640-3936 (toll free) or visit their website wctf.state.wi.us.

The Wisconsin **Children's Trust Fund** is not the same as the Wisconsin **Support Collections Trust Fund**. The Wisconsin Children's Trust Fund is a public/private partnership that offers services to parents. The Wisconsin Support Collections Trust Fund is the agency that processes support payments.

If You Owe Past-Due Support

Interest charges

I am now paying my child support. Why are you still charging interest on what I still owe?

Wisconsin law requires a simple interest charge (1.0% per month/12% per year) on past-due support. Interest is charged even if you are making payments on your debt. Interest begins when the past-due support equals the amount due in one month. For example -- if your support order is for \$300/month, interest is charged on past-due support amounts of \$300 or more.

The Tax Intercept Program

I agreed to pay \$50/month for past-due child support in addition to current support. So why are my tax refunds still being taken?

Under federal law, the Bureau of Child Support is required to intercept **federal tax refunds** on any case when \$150 or more “assigned” past-due support is owed, or when the past-due support owed to the other parent is \$500 or more. (For information on assigned support, please see “Child Support and Aid/Benefit Programs” starting on page 12.) The Bureau of Child Support is required to intercept **state tax refunds** if you owe \$150 or more. Past-due support includes any fees or costs that you may owe.

I owe some past-due child support, and I know my tax refunds will be intercepted. This year, I plan to file a joint tax return with my spouse. Will the entire refund be intercepted?

Yes, your entire federal refund will be intercepted **unless** you file an “injured spouse claim” (IRS Form 8379) with your return. An “injured spouse” claim protects your spouse from having his or her portion of the refund intercepted. Contact your tax preparer or the IRS for filing advice. You can call the IRS's toll-free number (800) 829-1040 or visit their website www.irs.gov for tax information. **Your entire Wisconsin refund will not be intercepted.** The Wisconsin Department of Revenue will prorate the refund and intercept only your part of the refund. You do not need to file an injured spouse claim with your Wisconsin state return.

My tax refunds are being taken and the other parent is not getting it all. Who is getting the money?

Federal tax refunds are first used to pay “assigned” past-due support. (For information on assigned support, please see “Child Support and Aid/Benefit Programs” starting on page 12.) **State tax refunds** are used first to pay the current support owed, then to pay past-due support owed to the family. If your family is getting W-2 cash benefits, part of the current support is “assigned.” Once all debts including costs and fees are paid off, any refund amount that is left is sent to you.

For more information, please see *The Tax Intercept Program* brochure. Child support brochures are available from your local child support agency and on the web at childsupport.wisconsin.gov.

Tax Intercept and Passport Denial

What does tax intercept have to do with passports?

The debt certified for tax intercept is used by the US State Department to deny issuing or renewing passports. Two recent changes to federal law will impact parents who owe child support. One change will increase the number of passport denials for those who owe support. At the same time, a second change adds countries (including Canada, Mexico and the Caribbean) to the list of places requiring passports for travel.

Lower support debts will block passports

A 2006 change to federal law reduces the amount of debt that will trigger the denial of a passport. On October 1, 2006, the child support debt limit will be lowered to \$2,500 (from \$5,000).

The US State Department will deny or will not renew a passport automatically if the debt certified by tax intercept reaches the specified amount. The debt includes all unpaid support, fees, costs and interest.

If a parent was certified for tax intercept with a debt that is equal to or is more than the threshold and has not paid the debt **in full**, the parent’s passport will not be issued or renewed.

Example: A few years ago, you received a letter telling you that you were certified for tax intercept. The letter stated you owed \$6,000. You began to pay on your debt and now owe \$2,000. Because you did not pay off the entire \$6,000, your passport will be denied.

What can I do to get a passport?

If you owe child support, pay it in full.

- Consider taking out a loan to pay off your debt
- Contact your child support agency to arrange a payment plan that will release your passport.

After I was placed on the Child Support Lien Docket, I agreed to a payment plan to protect my hunting license. Will my payment plan protect my passport?

If you already have a payment plan because of a child support lien, the payment plan **might not** prevent the denial of your passport. Check with your child support agency. (See pages 19 - 21 for information about the child support liens and payment plans.)

How can I find out more information about my passport?

For more information about passports, visit the US Department of State's passport website http://travel.state.gov/passport/passport_1738.html.

Court actions

What does the court do to collect past-due support?

Courts may take action against parents who fail to pay child support. This is called "judicial enforcement." Charges such as contempt of court or criminal nonsupport may be filed. If convicted, offenders may be fined and/or jailed for not paying support.

The child support agency or the other parent may file papers for a contempt hearing. A parent can be found in contempt if the court finds the parent could have paid child support but did not. The court may order a jail sentence but set "purge" conditions. Purge conditions are an amount of money that the parent must pay or actions that the parent must take to avoid a jail sentence.

Criminal nonsupport is a crime prosecuted by the county district attorney or by the tribal court. Child support agencies may refer cases to the district attorney. The other parent may file a complaint directly with the district attorney. The district attorney decides whether or not to take the case, usually after talking with the child support office.

Child Support Lien Docket

Federal and state laws give child support agencies the option of pursuing "administrative enforcement." Administrative enforcement allows the child support agency to take action without going to court. In Wisconsin, these tools are based on a child support lien.

What is a child support lien?

A child support lien is a hold placed on property (such as land and cars) until past-due child support is paid. These liens will be placed without a court hearing. Child support liens must be paid (satisfied) or released when property is sold. Failure to pay a child support lien can delay or prevent the sale of property.

A lien is automatically entered into the Child Support Lien Docket when past-due support equals \$500. (The past-due support for a child support lien does not include the interest on your debts.)

What is the Child Support Lien Docket?

The Child Support Lien Docket is an electronic list of parents with child support liens in Wisconsin. This list includes the names of the parents owing past-due support and the amounts of the liens.

The Child Support Lien Docket is maintained by the Department of Workforce Development. The Lien Docket is a public record and may be viewed in local register of deeds offices.

How do I find out if my name is on the Child Support Lien Docket?

If your name is placed on the Child Support Lien Docket, you will be sent a *Notice of Lien and Credit Bureau Reporting*. The notice will tell you the amount of the lien and the date that it was placed on the docket. This notice also describes your rights and the procedures for disputing the lien amount. The notice is mailed to the address on file with your child support agency.

What happens when my name is placed on the Child Support Lien Docket?

Placement on the Child Support Lien Docket is a first step to collect past-due support.

Once your name is placed on the Child Support Lien Docket:

- A lien will be placed on your real property (home, land) and on titled property (car, truck)
- Your lien will be reported to credit bureaus. This could affect your ability to qualify for loans
- You will be denied grants and loans issued by state agencies, such as student loans and higher education grants as well as mortgage loans from the Wisconsin Housing and Economic Development Authority (WHEDA) (If you agree to and follow a payment plan, you may receive these grants and loans.)

Your child support agency can also:

- Intercept lump-sum pension payments from public retirement funds, such as the Department of Employee Trust Funds
- Intercept judgments or settlements, for example, car accident settlements

What other actions can be taken to enforce a child support lien?

If you do not pay the lien amount in full or enter into a payment plan, a child support agency may take the following actions:

- Request the suspension or denial of professional, occupational, drivers, and recreational (hunting and fishing) licenses when a child support lien equals or is more than three months' worth of support
- Seize bank accounts including checking, savings, IRAs, and mutual funds when a child support lien equals or is more than \$1,000 or three months' worth of support, whichever is greater
- Seize real property (land) and titled personal property (cars) when a child support lien equals or is more than six months' worth of support

You will be sent a written notice before any action is taken to enforce a lien. Before the above enforcement actions are taken (license denial, seizure of accounts and property), a notice will be sent to **your address listed with your child support agency**. You will also be told of your rights to a hearing. The purpose of the hearing is to decide whether or not your child support debt is correct. The hearing is not about the type of action planned. This notice will also tell you that the action can be avoided if you agree to and follow a payment plan. To set up a payment plan, contact your child support agency.

What the paying parent should do

What if I don't think I owe past-due child support?

You have the right to a copy of your payment records from the child support agency. After receiving the records, you may compare them with your own records to determine if the past-due support amount is accurate.

Child Support Roles and Responsibilities

If you feel there is an error, contact your child support agency to discuss the possible reasons for the discrepancy. You must provide evidence that the amount is in error. The child support agency will review your case to determine if there is an error. If you do not agree with the child support agency's decision, you may request a court review.

How can enforcement actions be prevented?

Pay past-due support in full. One way you could do this is by taking out a loan. Once past-due support is paid, stay current.

Arrange a payment plan for past-due support with your child support agency. If you follow the terms of your payment plan, a child support agency will not take the enforcement steps (e.g., license suspension) listed on page 20 under "What other actions can be taken to enforce a child support lien?".

A payment plan will not remove a child support lien from either the Child Support Lien Docket or the credit bureau report. If you follow the terms of your payment plan, a child support agency will not take additional enforcement action to collect past-due support. (Your tax refunds may still be taken and interest will still be charged on your past-due amounts.)

Important: If a substantial change in circumstances reduces your ability to pay the child support amount ordered, contact your child support agency and ask for a review of your order. (For more information, see "Changing Your Support Order" on page 5.)

Child Support Roles and Responsibilities

The Wisconsin Child Support Program is a combined effort of state, local and private entities. The overlapping responsibilities of all these entities may be confusing. This section outlines the different roles.

Child Support Agencies

Wisconsin's 71 county child support agencies provide direct case management services for more than 340,000 child support cases. Child support agencies work with local courts, sheriff's departments and other local agencies to coordinate child support services. Each child support agency employs or contracts with a child support attorney(s) to provide legal representation. Child support attorneys represent the state, not the parents. (Several **Tribal child support agencies** provide similar services to their tribal members.)

Court - Circuit Courts and Family Court Commissioners

The courts in Wisconsin conduct hearings and issue court orders. Courts have the sole authority for ordering child support and medical support and modifying (changing) child support orders. The courts can also impose civil and criminal enforcement remedies.

Trust Fund - The Wisconsin Support Collections Trust Fund

The Trust Fund is a centralized operation responsible for processing all child support collections and performing activities related to posting, adjusting and issuing payments.

Bureau of Child Support

The Bureau of Child Support is the Wisconsin state agency that oversees and manages the child support program. This agency is responsible for setting statewide policy and providing technical assistance to local child support agencies. The Bureau of Child Support operates the KIDS child support computer system and oversees the Wisconsin Support Collections Trust Fund. The Bureau of Child Support is in the Department of Workforce Development.

Paternity Establishment (legal fatherhood)

Child Support Agency

- Works with parents to establish paternity
- Interviews mothers
- Helps with genetic testing
- Uses legal and administrative procedures
- Recovers birth costs

Court

- Rules on paternity findings

Paternity Establishment (legal fatherhood) continued

Bureau of Child Support

- Provides technical assistance to child support agencies regarding paternity policies and procedures
- Responds to questions from parents, child support agencies and hospital staff regarding the Voluntary Paternity Acknowledgment program
- Provides training and materials to hospitals regarding the Voluntary Paternity Acknowledgment program

Support Order Establishment

Child Support Agency

- Schedules cases for court hearings
- Recommends levels of child and medical support orders according to the Child Support Percentage of Income Standard and Wisconsin law to the court
- Responds to parents who ask for a review of the amount of their child support order
- Recommends changes to a court when the order does not comply with the Child Support Percentage of Income Standard
- Reaches child support agreements (stipulations) with parents (Agreement must also receive court approval to be valid)

Court

- Makes findings of ability to pay support
- Enters orders and sets child and medical support
- Decides whether the amount of child support ordered should be changed
- Reviews legal agreements (stipulations) between parents

Bureau of Child Support

- Reviews the Child Support Percentage of Income Standard every four years according to federal requirements to determine whether changes are appropriate

Court Order Enforcement

Child Support Agency

- Monitors child support cases for compliance with court orders
- Investigates incidences of non-compliance and locates absent parents
- Contacts parents who fall behind in their payments
- Verifies income and employment and sends income withholding notices to employers

Court Order Enforcement continued

Child Support Agency

- Determines whether a parent has health insurance coverage available by contacting the employer
- Prepares stipulations (legal agreements) for court approval
- Works with paying parents to develop payment plans to pay past-due support
- Asks the court to make finding of contempt of court for non-compliance with court orders
- Asks the court to order Children First and/or “work search” activities (Not every county and tribe have a Children First program)
- Determines if administrative actions (e.g., license denial) are appropriate
- Refers parents who are seriously behind in payments to the district attorney for possible criminal non-support charges

Court

- Sets conditions for payment of child support orders and past-due amounts
- Enters orders for “work search” activities and/or Children First enrollment (Not every county and tribe have a Children First program)
- Determines if a parent is violating a court order and makes a finding of contempt

Bureau of Child Support

- Operates the KIDS database system that tracks compliance with court orders
- Operates the Child Support Lien Docket
- Locates absent parents at the request of other states
- Reports delinquent payers to credit bureaus

Customer Service

(Parents, employers, general public, other states and other nations)

Child Support Agency

- Provides customer service to parents, employers, and other states by responding to letters and phone calls

Court

- Is prohibited from meeting or otherwise discussing cases with individuals who are party to the case (This is called “ex parte communication”)

Trust Fund

- Maintains the KIDS Information Line and employer interactive voice response system
- Responds to letters and telephone calls from parents concerning collections and payments
- Provides customer service information to employers and other states concerning income withholding
- Provides Pay-by-Phone and Direct Deposit services
- Provides employers with materials for income withholding (paper and electronic)
- Handles employment changes, maintains employer and payee address information

Customer Service continued

Bureau of Child Support

- Prints and mails the Monthly Statement of Account
- Responds to child support agency complaints about Trust Fund customer service
- Resolves complaints received directly from parents, legislators and employers about service delivery
- Maintains the Child Support Online Services website that provides detailed payment information to parents

Custody/Visitation

Child Support Agency

- No responsibility

Court

- Issues custody and physical placement (visitation) orders
- Refers parents who disagree on custody/visitation issues to the family court counseling service (mediation)

Bureau of Child Support

- No responsibility

Financial Management

Child Support Agency

- Enters court-ordered financial information into the KIDS database and makes certain adjustments to KIDS financial account balances
- Provides help to parents related to payment issues
- Maintains pre-KIDS payment records

Trust Fund

- Processes child support payments from parents, employers and other states
- Sends child support payments to families, other states, and state and federal government agencies
- Adjusts collections and payments
- Responds to requests to reissue checks, stop payment, returned checks and misapplied payments

Bureau of Child Support

- Monitors centralized processing and payment activities
- Conducts the activities to collect annual receipt and disbursement (R&D) fees

Other Roles and Responsibilities

Child Support Agency

- Complies with federal rules and regulations
- Serves on local/state workgroups for new initiatives and makes policy recommendations
- Contracts with the sheriff and other local officials and agencies to carry out the many functions of the program (e.g., service of process)

Other Roles and Responsibilities continued

Bureau of Child Support

- Contracts with local county and tribal agencies to provide child support services and the Children First program (Not every county and tribe have a Children First program)
- Oversees the contract with private vendors to operate Trust Fund
- Maintains the KIDS child support computer system
- Writes training curriculum and provides child support training for child support agencies
- Maintains policies and procedures and publishes brochures and other informational materials
- Provides statistical information about the child support program to the federal Office of Child Support Enforcement (OCSE)
- Maintains the Child Support Program Internet website

Child Support Terms

Absent Parent A parent whose address is unknown and is financially responsible for a share of child support.

Affidavit A statement, in writing, made under oath before a notary public.

Alternative Payment Plan A payment plan that the parent and child support agency agree on that provides a structured way to pay off past-due child support while continuing to pay the current amount due.

Arrears (or Arrearage) Support payments that are unpaid and past-due.

Assignment Signing over child support payments to the state of Wisconsin as a condition for receiving cash benefits, or signing over medical support payments as a condition of receiving Medicaid benefits.

Child Support Money paid by a parent for the financial support of a minor child. It may include medical, dental and educational expenses.

Child Support Court Order A legal document, issued by the court, setting the amount to be paid for the support of a child.

Complaint A written document filed in court in which the person who starts the action names the people and allegations involved, and the results wanted.

Contempt Failure to comply with a court order when a person has the ability to do so.

Court-Ordered Payee The person the court names to receive the child support.

Custody The authority assigned to one or both parents by the court to make major decisions regarding their children.

Default A person's failure to file an answer or appear in a court case within a certain number of days after being served with a summons or complaint.

Default Judgment Decision made by the court when the person fails to answer or appear.

Enforcement Activities to make sure that a court order is obeyed.

Establish To bring into existence by a legal process.

Initiating State The state that sends a request to another state for help in establishing or enforcing a child support order.

Judgment The official decision of the court.

Jurisdiction The legal authority of a court.

KIDS (Kids Information Data System) Wisconsin's statewide child support computer system.

Kinship Care Cases in which the child lives with a relative other than the mother or father. This relative receives a cash benefit from the state. In these cases, both parents may be ordered to pay child support.

Legal Father The man who is recognized by law as the father of a child.

Legally Obligated Responsible under law.

Lien A hold on property. A lien must be satisfied (paid in full) before the property can be sold.

Lien Docket An electronic list of child support payers with a certain level of child support debt.

Medical Support Health insurance or payment for medical costs.

Modification A court order that changes the terms of an earlier court order.

Motion An application to a court for an order or a ruling.

Order to Show Cause A court order telling a person to appear in court and explain why a certain order should not be entered.

Paternity Establishment Legal determination of fatherhood.

Petition A formal written request.

Petitioner A person who brings a legal action or lawsuit.

Physical Placement Periods of time a child spends in the care of a parent.

Primary Physical Placement Where the child lives most of the time.

Responding State The state receiving another state's request for support enforcement services.

Respondent A person against whom a court action is started.

Shared-Placement The child lives with each parent at least 25% of the time. Both parents assume all costs in proportion to the number of days he or she cares for the child. The time with each parent may or may not be equal.

Split Placement A family with two or more children in which one parent has primary physical placement of one or more children and the other parent has primary placement of the other children.

Stipulation A written agreement that must receive court approval to be valid.

Substitute Care Cases in which the child lives in foster care, a group home or another type of institution. In these cases, both parents may be ordered to pay child support.

Summons A legal notice and warning given to a person when that person is sued.

Local Child Support Agencies

Local Child Support Agencies

Adams County Child Support Agency
(608) 339-4228
Courthouse, Rm. C020
402 Main St.
PO Box 528
Friendship 53934-0528

Ashland County Child Support Agency
(715) 682-7020
Courthouse, Rm. 100
201 W. Main St.
Ashland 54806

Barron County Child Support Agency
(715) 537-6390
Courthouse, Rm. 300
330 E. LaSalle Ave.
Barron 54812

Bayfield County Child Support Agency
(715) 373-6106
117 E. 5th St.
PO Box 187
Washburn 54891

Brown County Child Support Agency
(920) 448-4090
Northern Building, Rm. 450
305 E. Walnut St.
PO Box 23600
Green Bay 54305-3600

Buffalo County Child Support Agency
(608) 685-4412
407 S. 2nd St.
PO Box 517
Alma 54610-0517

Burnett County Child Support Agency
(715) 349-2555
Government Center
7410 County Rd. K, #118
Siren 54872-9043

Calumet County Child Support Agency
(920) 849-1454
Courthouse
206 Court St.
Chilton 53014

Chippewa County Child Support Agency
(715) 726-7750
Courthouse, Rm. 225
711 N. Bridge St.
Chippewa Falls 54729

Clark County Child Support Agency
(715) 743-5213
Courthouse, Rm. 504
517 Court St.
Neillsville 54456-1912

Columbia County Child Support Agency
(608) 742-9610
400 Dewitt St.
PO Box 256
Portage 53901

Crawford County Child Support Agency
(608) 326-0218
Courthouse
220 N. Beaumont Rd.
Prairie du Chien 53821

Dane County Child Support Agency
(608) 266-4031
City-County Bldg., Rm. 106
210 Martin Luther King, Jr. Blvd.
Madison 53703-3342

Dodge County Child Support Agency
(920) 386-3640
127 E. Oak St.
Juneau 53039

What the paying parent needs to know

Door County Child Support Agency
(920) 746-2231
Justice Center
1211 S. Duluth Ave.
Sturgeon Bay 54235

Douglas County Child Support Agency
(715) 395-1327 or
(715) 395-1420
Courthouse, Rm. 202
1313 Belknap St.
Superior 54880

Dunn County Child Support Agency
(715) 232-1671
Judicial Center
615 Stokke Pky., Ste. 1600
Menomonie 54751-4912

Eau Claire County Child Support Agency
(715) 839-4770
721 Oxford Ave., Ste. 1230
Eau Claire 54703-5481

Florence County Child Support Agency
(715) 528-3369
Courthouse
501 Lake Ave.
PO Box 410
Florence 54121

Fond du Lac County Child Support Agency
(920) 929-3057
Government Center
160 S. Macy St.
Fond du Lac 54935

Forest County Child Support Agency
(715) 478-2157
Courthouse
200 E. Madison St.
Crandon 54520

Forest County Potawatomi Tribal Child Support
Agency
(715) 478-7260
Tribal Hall
8000 Potawatomi Trl.
PO Box 340
Crandon 54520

Grant County Child Support Agency
(608) 723-4823
Courthouse
130 W. Maple St.
Lancaster 53813

Green County Child Support Agency
(608) 328-9460
1016 16th Ave.
Monroe 53566

Green Lake County Child Support Agency
(920) 294-4048
Courthouse
492 Hill St.
PO Box 3188
Green Lake 54941-3188

Iowa County Child Support Agency
(608) 935-0390
Courthouse, Ste. 203
222 N. Iowa St.
Dodgeville 53533

Iron County Child Support Agency
(715) 561-4485
Courthouse, Ste. 211
300 Taconite St.
Hurley 54534

Local Child Support Agencies

Jackson County Child Support Agency
(715) 284-4301 Ext. 230
420 Hwy 54 W.
PO Box 457
Black River Falls 54615

Jefferson County Child Support Agency
(920) 674-7255
Courthouse, Rm. 219
320 S. Main St.
Jefferson 53549

Juneau County Child Support Agency
(608) 847-2400
220 E. La Crosse St.
Mauston 53948

Kenosha County Child Support Agency
(262) 697-4750
8600 Sheridan Rd., Ste. 301
Kenosha 53143-6505

Kewaunee County Child Support Agency
(920) 388-7172
Courthouse
613 Dodge St.
Kewaunee 54216

La Crosse County Child Support Agency
(608) 785-9564
Administrative Center, Rm. 2160
400 N. 4th St.
La Crosse 54601-3200

Lac du Flambeau Tribal Child Support Agency
(715) 588-4236
623 Peace Pipe Rd.
PO Box 1198
Lac du Flambeau 54538-1198

Lafayette County Child Support Agency
(608) 776-4843
626 Main St.
PO Box 203
Darlington 53530

Langlade County Child Support Agency
(715) 627-6225
837 Clermont St.
Antigo 54409-1948

Lincoln County Child Support Agency
(715) 536-9700
607 N. Sales St.
PO Box 547
Merrill 54452

Manitowoc County Child Support Agency
(920) 683-4066
1010 S. 8th St., Rm. B-21
Manitowoc 54220-5377

Marathon County Child Support Agency
(715) 261-7500
400 E. Thomas St.
Wausau 54403

Marinette County Child Support Agency
(715) 732-7440
Courthouse, Rm. C214
1926 Hall Ave.
Marinette 54143-1717

Marquette County Child Support Agency
(608) 297-9101
77 W. Park St.
PO Box 187
Montello 53949-0187

Menominee Tribal Child Support Agency
(715) 799-5290
W2908 Tribal Office Loop Rd.
PO Box 520
Keshena 54135

Milwaukee County Child Support Agency
(414) 278-5160
Courthouse, Rm. 101
901 N. 9th St.
Milwaukee 53233

What the paying parent needs to know

Monroe County Child Support Agency
(608) 269-8733
112 S. Court St., Rm. 101
Sparta 54656-1765

Oconto County Child Support Agency
(920) 834-6862
Courthouse
301 Washington St.
Oconto 54153-1699

Oneida County Child Support Agency
(715) 362-1550
1 Oneida Ave.
PO Box 400
Rhineland 54501

Outagamie County Child Support Agency
(920) 832-5058
Human Services Bldg.
401 S. Elm St.
Appleton 54911

Ozaukee County Child Support Agency
(262) 284-8400
Justice Center
1201 S. Spring St.
PO Box 994
Port Washington 53074-0994

Pepin County Child Support Agency
(715) 672-4231
740 7th Ave. W.
PO Box 39
Durand 54736

Pierce County Child Support Agency
(715) 273-6764
388 W. Main St.
PO Box 660
Ellsworth 54011

Polk County Child Support Agency
(715) 485-9297 Ext. 297
Justice Center, Ste. 100
1005 W. Main St.
Balsam Lake 54810

Portage County Child Support Agency
(715) 346-1588
Courthouse
1516 Church St.
Stevens Point 54481

Price County Child Support Agency
(715) 339-3094
Courthouse
126 Cherry St.
Phillips 54555

Racine County Child Support Agency
(262) 636-3268
818 6th St., Ste. 2
Racine 53403

Richland County Child Support Agency
(608) 647-8663
Courthouse, 2nd Fl.
181 W. Seminary St.
PO Box 541
Richland Center 53581

Rock County Child Support Agency
(608) 757-5700
Courthouse
51 S. Main St.
Janesville 53545

Rusk County Child Support Agency
(715) 532-2299
311 Miner Ave. E., Ste. L337
Ladysmith 54848

St. Croix County Child Support Agency
(715) 386-4691
Government Center
1101 Carmichael Rd.
Hudson 54016-7710

Sauk County Child Support Agency
(608) 355-3238
Courthouse, 2nd Fl.
515 Oak St.
Baraboo 53913

Local Child Support Agencies

Sawyer County Child Support Agency
(715) 634-3173
10610 W. Main St.
PO Box 1049
Hayward 54843

Shawano County Child Support Agency
(715) 526-2190
Courthouse, Rm. 111
311 N. Main St.
Shawano 54166

Sheboygan County Child Support Agency
(920) 459-3041
Courthouse Annex
615 N. 6th St.
Sheboygan 53081

Taylor County Child Support Agency
(715) 748-1493
Courthouse, Rm. G200
224 S. 2nd St.
Medford 54451

Trempealeau County Child Support Agency
(715) 538-2311 Ext. 312
Government Center
36245 Main St.
PO Box 67
Whitehall 54773-0067

Vernon County Child Support Agency
(608) 637-5335
Courthouse Annex, Ste. 300
400 Courthouse Square
Viroqua 54665

Vilas County Child Support Agency
(715) 479-3705
330 Court St.
Eagle River 54521

Walworth County Child Support Agency
(262) 741-7100
Judicial Center, Rm. 1040
1800 County Rd. NN
PO Box 1001
Elkhorn 53121

Washburn County Child Support Agency
(715) 468-4630
Courthouse
10 4th Ave.
PO Box 363
Shell Lake 54871

Washington County Child Support Agency
(262) 335-4377
Courthouse, Rm. 1103
432 E. Washington St.
PO Box 1986
West Bend 53095-7986

Waukesha County Child Support Agency
(262) 548-7420
1320 Pewaukee Rd., Rm. 348
Waukesha 53188

Waupaca County Child Support Agency
(715) 258-6448
811 Harding St.
Waupaca 54981-2081
Waushara County Child Support Agency
(920) 787-0400
209 S. St. Marie St.
PO Box 238
Wautoma 54982

Winnebago County Child Support Agency
(920) 236-4780
415 Jackson St., Rm. 140
PO Box 2808
Oshkosh 54903

Wood County Child Support Agency
(715) 421-8430
400 Market St.
PO Box 8095
Wisconsin Rapids 54494

Other Telephone Numbers and Websites

- Child support agencies are listed on pages 27 to 31.
- Child Support Online Services (Print your payment coupons. Get detailed information on balances and all payments made during the last 60 days. Information is updated every night except Sunday)
Website childsupport.wisconsin.gov
- KIDS Information Line (information on your last two payments)
Telephone Metro Milwaukee area (414) 615-2400
Outside the Metro Milwaukee area (toll free) (800) 991-5530
TDD (toll free) (877) 209-5209
- Wisconsin Child Support Program
Website childsupport.wisconsin.gov
- Wisconsin Office of Child Care
Website dwd.wisconsin.gov/dws/programs/childcare/parent.htm
- UW-Extension programs (parenting and family resources)
Telephone numbers are listed in the business section of your phone book under “University of Wisconsin, Extension”
Website www.uwex.edu/ces/flp
- Wisconsin Children’s Trust Fund
Telephone (toll free) (866) 640-3936
Website wctf.state.wi.us/home/
- Wisconsin State Law Library
Website wsll.state.wi.us/
- Wisconsin Job Centers
Telephone (toll free) (888) 258-9966
Website dwd.wisconsin.gov/dws/directory/

Note: most public libraries have free Internet access.

Child Support Publications

The following publications are available from your county or tribal child support agency (listed on pages 27 - 31).

Most of the brochures are available in Spanish and Hmong. The brochures (including the Spanish and Hmong versions) are available on the Internet at childsupport.wisconsin.gov. Most public libraries have Internet access.

Alternative Payment Plans

Child Support and W-2 – for parents who used to get cash benefits

Child Support and W-2 – when getting cash benefits

Guidelines for Setting Child Support Payment Amounts

Legal Fatherhood (Paternity): What Fathers Should Know

Legal Fatherhood (Paternity): What Mothers Should Know

Medicaid, Child Support and Repaying of Birth Costs

Review and Adjustment (Changing a Child Support Order)

Payment of Child Support for Substitute Care (for children in foster care and group homes)

Tax Intercept

The Wisconsin Child Support Program

The Child Support program and its agencies are equal opportunity employers and service providers. If you need information in another language, please let the child support staff know. You have a right to free language assistance.

El Programa de Mantenimiento Infantil y sus agencias son empleadores que garantizan la igualdad de oportunidades y proveedores de servicios Si usted necesita información en otro idioma, por favor avise al personal del Programa de Mantenimiento Infantil. Usted tiene derecho a recibir asistencia gratuita de idiomas.

Qhov chaw saib txog Kev Them Nyiaj Pab Yug Me Nyuam (The Child Support Program) thiab nws cov chaw a kam yog cov tswv hauj lwm thiab chaw pab cuam uas muab vaj huam sib txig rau sawv daws. Yog koj xav paub ua lwm yam lus, thov hais rau cov neeg ua kam hauv kev them nyiaj pab yug me nyuam. Koj muaj cai tau txais kev pab txhais lus.

Программа "Алименты на содержание детей" и ее агенства предоставляют равные возможности при найме и обслуживании. Если Вам понадобится информация на каком-либо другом языке, просим сообщить об этом сотрудникам Программы. У вас есть право на бесплатные услуги переводчика.

Who can I call for help?

or contact:

- Your county or tribal child support agency (listed on pages 27 - 31)
- Child Support Online Services at **childsupport.wisconsin.gov**
Print your payment coupons. Get detailed information on balances and all payments made during the last 60 days. Information is updated every night except Sunday
- KIDS Information Line (information on your last two payments)
Metro Milwaukee area (414) 615-2400
Outside the Metro Milwaukee area (toll free) (800) 991-5530
TDD (toll free) (877) 209-5209
- Child support information is on the Internet at childsupport.wisconsin.gov. Most public libraries have free Internet access

DWD is an equal opportunity employer and service provider. If you have a disability and need to access this information in an alternate format, or need it translated to another language, please contact (608) 266-9909 or (800) 947-3529 TDD (Toll Free).